

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Crl.Misc. No.18124-M of 2007

Date of Decision:- 24.05.2007

Gurmej Singh

....Petitioner(s)

through
Mr.A.S.Trikha, Advocate

vs.

State of Punjab & ors.

....Respondent(s)

through
Mr.Rajesh Bhardwaj.DAG, Punjab.

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

- 1) Whether Reporters of the local papers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

SURYA KANT, J. (ORAL)

The petitioner is aggrieved at the order dated 19.1.2007 (Annexure P-1) whereby parole has been denied to him on the ground that he may start selling contraband again and that there is an apprehension of breach of peace.

It is true that the petitioner is a convict under the NDPS Act, however, there is no denial to the fact that it is his first parole.

It is, thus, too pre-mature and without any basis to presume that if the petitioner is released on bail, he will indulge in the sale of intoxicants.

There is no denial to the fact that the petitioner is not involved in any other case under the NDPS Act. Similarly, it is not the case of the respondents in the reply that his behaviour in jail is not satisfactory.

That apart, various remedial measures can be taken by the

Authorities to ensure that the petitioner may not indulge in sale of intoxicants. Apart from furnishing his personal bail bonds he may be asked to furnish the bail bonds of at least two respectables of the village. The petitioner can also be asked to report to the police station concerned intermittently at least once in a week.

For the reasons afore-stated, it is apparent that the petitioner's case requires reconsideration.

Consequently, this petition is allowed, the impugned order dated 19.1.2007 is set aside and the respondents are directed to re-consider the petitioner's case in the light of the observations made here-in-above, in accordance with law within a period of two months from the date of receipt of certified copy of this order.

May 24, 2007
poonam

(SURYA KANT)
JUDGE